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MAY 23 2005

**PATENT****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant:	KOTZIN, M.	)	Examiner: Coulter, K.
		)	
Appl. No.	10/037,015	)	Art Unit: 2141
		)	
Filed:	December 21, 2001	)	Atty. Docket No. CS10398
		)	
Title:	METHOD AND APPARATUS FOR OBTAINING INTERNET CONTENT FOR A WIRELESS DEVICE		

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
Alexandria, Virginia 22313-1450

Sir:

This declaration is to establish conception of the subject matter of the present application in the United States or other provincial region permitted by Rule prior to the effective date of United States Application Publication No. 2003/0005429 A1, filed on June 28, 2001, entitled "EPG With Video Previews" to Colsey. (Colsey), and diligence to the filing the present application (constructive reduction to practice) from a time prior to the effective date of the Colsey Publication, June 28, 2001, to the filing date, December 21, 2001, of the instant patent application.

In support of this Declaration, Michael D. Kotzin, declare and sayeth the following:

That claimed subject matter of the instant patent application stands subject to a rejection under 35 U.S.C. 102(e) for anticipation by United States Application Publication No. 2003/0005429 A1, filed on June 28, 2001, entitled "EPG With Video Previews" to Colsey;

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That the claimed subject matter of the instant patent application was conceived in the United States or other provincial region permitted by Rule before the effective date (June 28, 2001) of Colsey in the course of employment by Motorola Inc., the assignee of record at REEL/FRAME 012441/0368;

That the claimed subject matter of the instant patent application was the subject of a written invention disclosure (ID No. CS10398) prepared and submitted, with diligence, to a patent committee of Motorola Inc., the assignee of the instant patent application, for the purpose of documenting and evaluating invention disclosures for patent protection;

That, after consideration of the written invention disclosure, ID No. CS10398, by the Motorola Inc. patent committee, a patent specification and drawings were prepared by or on behalf of an attorney or patent agent of the assignee based on the subject matter of the written invention disclosure, ID No. CS10398, and that the patent specification and drawings were reviewed and completed with diligence from a time prior to the June 28, 2001 effective date of Colsey to the filing date of the instant United States patent application on December 21, 2001;

That the attached written invention disclosure, ID No. CS10398, is a true copy of the original written invention disclosure on which the instant patent application is based;

That the redacted conception date (See MPEP 715.07) on the attached written invention disclosure, ID No. CS10398, is before the June 28, 2001 effective date of Khayrallah;

That all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

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and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURES:

Michael D. Kotzin - May 20, 2005

Michael D. KOTZIN

Date

STATE OF ILLINOIS  
COUNTY OF LAKE

This instrument was acknowledged before me by Michael D. Kotzin on the 20<sup>th</sup> day of May, 2005.

Jennifer H. Magness  
Notary Public  
JENNIFER H. MAGNESS





**MOTOROLA**  
Personal Communications Sector



### DISCLOSURE FOR PATENT COMMITTEE

SUBMITTED PURSUANT TO EMPLOYMENT  
AGREEMENT

Security Classification  
Motorola Confidential Proprietary  
(when completed)

Inventor(s) will not fill in	
Operation <i>AT&amp;T</i>	
DISCLOSURE NO. <i>CS-10398</i>	DATE <i>[redacted]</i>
Patent Committee Action	
Inventor(s) Name(s) <i>Kotzin</i>	

### FOR INSTRUCTIONS FOR COMPLETION REFER TO DISCLOSURE INSTRUCTION PROCEDURE

Inventor must fill in Items 1 thru 12.

Items 2 to 5 may require extra sheets. BE SURE they are signed, witnessed, and attached.

1. Name of the invention (Limit to ten words).

Simple means to request, extract and record internet content.

2. State the problem(s) resolved by the invention.

See attached.

3. Describe the invention in detail. Include its operation, purpose, environment and how problem(s) were solved  
(Use separate sheets as required).

See attached.

4. What new elements (e.g. components, circuits, process steps) or combinations of known elements or software  
algorithm produced the improvement(s) over known technology?

See attached.

5. List the closest known technology (attach article, patent, catalog sheet or other documentation).

See attached.

6. What are the potential applications for use of this invention?

See attached.

7. Conception date? *[redacted]* (Attach earliest log sheets, drawings, etc., to support dates). This disclosure

8. To whom did you first disclose this invention? Name: PCS AI Session 6 - Simul. Use of Other Sys Date: *[redacted]*

9. Date the device was first built and tested: not yet built  
Present location of the device?

### DETERMINATION OF LEGAL INVENTORSHIP FOR PATENT APPLICATION MUST BE MADE BY THE PATENT DEPARTMENT.

Inventor's signature (IMPORTANT - YOU MUST USE YOUR FULL FIRST, MIDDLE AND LAST NAMES).

10. Inventor's Full Name: (Type) Michael D. Kotzin		Signature <i>Michael D. Kotzin</i>		Date <i>[redacted]</i>	Social Security No. 357-46-8124
Home Address: Street 321 Fox Hill Drive		City Buffalo Grove	State IL	Country USA	ZIP code 60089
Citizen of (i.e. U.S., Germany, etc.) USA		Dept. No. QA 960	Phone 847-523-1162	Room No. IL-93 AS-438	Employee Status <input checked="" type="checkbox"/> Permanent Contractor

11. Inventor's Full Name: (Type)		Signature		Date	Social Security No.
Home Address: Street		City	State	Country	ZIP code
Citizen of (i.e. U.S., Germany, etc.)		Dept. No.	Phone	Room No.	Employee Status — Permanent Contractor

12. Inventor's Full Name: (Type)		Signature		Date	Social Security No.
Home Address: Street		City	State	Country	ZIP code
Citizen of (i.e. U.S., Germany, etc.)		Dept. No.	Phone	Room No.	Employee Status — Permanent Contractor

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Witness signatures (TWO WITNESSES ARE REQUIRED)

Witness must sign and date this form *and all attachments*.

**THE WITNESSES IN SIGNING THIS FORM ATTEST TO THE FACT THAT THEY UNDERSTAND THE INVENTION.**

13. Witness Name (Type) Signature Date Phone

14. Witness Name (Type) Signature Date Phone

Items 15 to 25 are to be filled in by the ENGINEERING and MARKETING/PRODUCT MANAGER or equivalent. Use separate sheets as required.

**THE MANAGERS IN SIGNING THIS FORM ATTEST THAT THEY UNDERSTAND THE INVENTION.**

15. What product will this invention be used in? (No code names -- use brief description if necessary)

Not yet known

16. When (was) (will) the first offer for sale of a product incorporating this invention (be) made?  
Date: not yet offered for sale

17. When is the estimated shipping date? unknown

18. When (was) (will) the first disclosure outside of Motorola (be) made? How and to whom? Nondisclosure agreement signed? State title and date of publication, if any.

No disclosure yet made or planned

19. What is the market for products incorporating this invention?

For future PCS handsets

20. Who are the potential competitors? What is the possibility this invention will be used by competitors?  
Which ones?

Nokia, Ericsson, Siemens, Japan Inc.

21. Did this invention result from work on a development contract: (YES) (NO) Contract No. \_\_\_\_\_  
Who was the contracting party?

22. Discuss the business impact that this invention will have on Motorola. Be specific and quantitative.

Provides potential future differentiating feature or enhancement.

23. Engineering Manager's Name (Type) Signature Date Dept. No. Phone  
Michael D. Kotzin Michael D. Kotzin [redacted] QA-960 3-1162

24. Product/Marketing Manager's Name (Type) Signature Date Dept. No. Phone  
Michael D. Kotzin Michael D. Kotzin [redacted] QA-960 3-1162

25. The Manager must determine the security classification of this information. See Personnel Policy #840, and Corporate SOP E60, Protection of Proprietary Information.

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**2. State the problem(s) resolved by the invention.**

In the future, wireless subscriber devices will have full access to the internet. There is an incredible amount of content present that can be downloaded and or captured for later use or replay. However, it is very difficult to identify the content and to arrange for its capturing.

**3. Describe the invention in detail. Include its operation, purpose, environment and how problem(s) were solved.**

This invention proposes a method to simplify the selection and arranging to obtain and capture content from the internet. Basically, this invention provides a means to reduce a complicated process and associated information and parameters into a very simple code, preferably strictly numeric, that the user simply enters to his device to effect the desired operation. The code would uniquely identify the information to be obtained and any other information that is needed to know, for example, when it will be available, the format and or protocol of the transmission, etc.

One way to do this would be to provide a data base server out on the internet and a database controller. When someone or some entity has something that it wants to make available to the public, it requests from the database controller a, say, 7 digit code. In exchange for the code, the person or entity provides all the necessary information, e.g. access URL, time of broadcast or availability, transmission protocol, etc. needed for someone to capture or download the information. The code could be published in a directory that tell a person what the code does.

The user, if he wanted this information after reviewing the directory, would enter the code into his subscriber device. The subscriber device would access the database and retrieve all the necessary parameters and information needed to properly capture and or retrieve the information. The subscriber device would then autonomously be able to perform the prescribed functions on behalf of the subscriber.

**4. What new elements (e.g. components, circuits, process steps) or combination of known elements or software algorithm produced the improvement(s) over known technology?**

A control database to manage the assignment of codes and associate with it all the information needed in order to capture or obtain certain information off the internet.

A means for someone to get a code number in exchange for capturing data and parameters for directory publication

A means for a subscriber to enter the code, and the radio to access the database with the code and perform the prescribed functions

**5. List the closest known technology (attach article, patent catalog sheet or other documentation).**

This is a scheme that does for the internet and a subscriber's wireless device what VCR+ does for recording of TV or cable programs on an equipped VCR.

**6. What are the potential applications for use of this invention?**

Could be used to enhance the capabilities of any wireless subscriber device that has the ability to extract and or capture internet information.

Inventor(s) Signature(s)/Date(s):

*Michael D. Katz*

Witness Signatures/Dates:

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